

REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following remarks is respectfully requested.

Claims 1-24 remain active in this application, Claims 1, 3, 13, 14, 16 and 17 have been amended by way of this present amendment.

In the outstanding Official Action, Claims 1-3, 11-15, and 17-21 were rejected under 35 U.S.C. 102(b) as being anticipated by Dolash et al.(4,983,817, hereinafter called "Dolash"). However the remaining Claims 4-10, 16 and 22-24 were objected to as depending upon a rejected base claim, but were otherwise indicated as including allowable subject matter if rewritten in independent form.

Applicants acknowledge with appreciation the indication of allowable subject matter. However, since Applicants consider that the amended claims patentably define over the cited art, Claims 4-10, 16 and 22-24 have presently been maintained in dependent form.

In light of the outstanding ground for rejection, Claims 1, 13 and 17 have been amended to more clearly patentably define over the cited prior art. To that end, Claims 1, 3 and 17 have been amended to state that --the first colorant contains microcapsules each comprising a liquid crystal material and a film encapsulating the liquid crystal material or microcapsules each comprising a mixture of a liquid and a color substance which causes electrophoresis and a film encapsulating the mixture--. Support for the amendments is found, for example, at page 7, lines 2 to 14 of the specification. No new matter has been added.

In view of the noted changes to the independent claims, the pending claims are believed to be patentably distinguishing over the cited art, next discussed.

In particular, Dolash fails to disclose microcapsules each comprising a liquid crystal material and a film encapsulating the liquid crystal material as the examiner states on page 2, line 25 to page 3, line 9 of the outstanding Office Action. Dolash also fails to disclose

microcapsules each comprising a mixture of a liquid and a color substance which causes electrophoresis and a film encapsulating the mixture. Accordingly, the amended claims are believed to be patentably distinguishing over Dolash, and the outstanding rejection on the merits is believed to have been overcome.

Consequently, in view of the present amendment and in light of the above discussion, no further issues are believed to be outstanding, and the application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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